IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 26TH OCTOBER 2006 / 4TH KARTHIKA 1928

Bail Appl..No. 5896 of 2006()

CMP.4289/2006 of I ADDL. DISTRICT COURT, KOLLAM
C.R.No.6/2006 OF KARUNAGAPPALLY EXCISE RANGE.

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PETITIONER/ACCUSED

SAJAN, S/O.PAPPACHAN, AGED 45 YEARS,
KANAKKALIL VEEDU, PACHADI DESOM,
PARATHODU VILLAGE, ODUMPANCHOLA TALUK,
IDUKKI DISTRICT.

BY ADV. SRI. K.SIJU
SRI.S.SUDHEESHKAR

RESPONDENTS: STATE

STATE OF KERALA REPRESENTED BY EXCISE
INSPECTOR, KARUNAGAPPALLY RANGE THROUGH
PUBLIC PROSECUTOR HIGH COURT OF KERALA
AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 5896 of 2006

Dated this the 26th October, 2006.

O R D E R

Petitioner was arrested on 7.8.2006, as he was found transporting 400 grams of Hashish oil, from Tamilnadu to Kerala. He was arrested and contraband seized while he was in a lodge at Oachira. Therefore, Karungappally Excise Range Officials registered C.R.No.6/2006 of that Excise Range, for the offence punishable under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act. Petitioner remains in judicial custody thereafter. Hence, this application for bail.

2. The prosecution submits that though there is no other case, the source from where the Hashish oil was brought is not yet traced out, and the person is not arrested. It is also submitted that the items seized is worth Rupees Six Lakhs.

3. Petitioner has been interrogated by the Investigating Officer. The counsel, in the above facts situation, submits that the petitioner is no more required for further interrogation, and hence, prayed for bail.

4. Considering the duration of judicial detention and other materials placed before me, I allow this application, grant bail to the petitioner, and release him from jail, subject to the following conditions:-

i) The petitioner shall execute a bond for Rs.50,000/= (Rupees Fifty Thousand only) with two solvent sureties, each for the like sum, to the satisfaction of the Special Court trying NDPS cases, Kollam.

ii) The petitioner shall report before the Investigating Officer, once in a week, on every Monday, starting from 30.10.2006, between 10 and 10.30 a.m., for a period of six months, and thereafter, on the first working day of every month, between the same timings, till the completion of the trial, and final disposal of the case.

iii) The petitioner shall not leave the State of Kerala, until the final trial and disposal of the sessions case.

iv) The petitioner shall not interfere with the investigation, attempt to influence or threaten the witnesses, or cause any hindrance for the smooth conduct of the case, during bail.

J.M. JAMES,
JUDGE

nj.